



PATENT  
Attorney Docket No.: UCSD1630-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fenical et al. Art Unit: 1651  
Application No.: 09/991,518 Examiner: I. Marx  
Filed: November 16, 2001 Conf. No.: 7755  
Title: MARINE ACTINOMYCETE TAXON FOR DRUG AND  
FERMENTATION PRODUCT DISCOVERY

**Mail Stop ISSUE FEE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL SHEET**

Sir:

Transmitted herewith for the above-identified application, please find:

1. Response to Notice of Allowance mailed April 24, 2006 (1 page);
2. Form PTOL-85B Issue Fee Transmittal (*in duplicate*) (1 page);
3. Amendment Pursuant to 37 CFR § 1.312 (5 pages with Exhibit A);
4. Change of Attorney Address (1 page);
5. Check No. 582446 in the amount of \$1,030.00; and
6. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, July 6, 2006, in an envelope addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>Aldon Griffis</u> <i>(Name of Person Mailing Paper)</i>	
<u>Aldon Griffis</u> <i>(Signature)</i>	July 6, 2006 <i>(Date)</i>

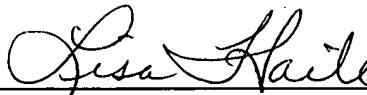
In re Application of:  
Fenical et al.  
Application No.: 09/991,518  
Filed: November 16, 2001  
Page 2

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Enclosed is Check No. 582446 in the total amount of \$1,030.00; which consists of \$700.00 for the Issue Fee, \$300.00 for the Publication Fee and \$30.00 for the Advance Order Fee for Ten (10) Patent Copies. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: July 6, 2006

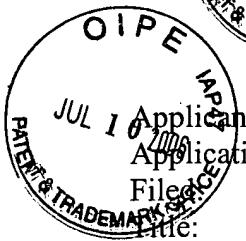
  
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**USPTO CUSTOMER NUMBER 28213**  
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P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF ALLOWANCE**

Sir:

In response to the Notice of Allowance mailed April 24, 2006, enclosed are the completed Issue Fee Transmittal Form PTOL-85B and Check No. 582446 in the amount of \$1,030.00 for the required Issue/Publication Fees and a request for Ten (10) advance patent copies.

The Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments, to Deposit Account No. 07-1896.

Respectfully submitted,



Lisa A. Haile, J.D., Ph.D.  
Registration No.: 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

Date: July 6, 2006

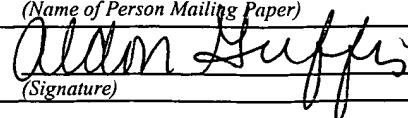
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**CERTIFICATION UNDER 37 CFR §1.8**

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Aldon Griffis  
(Name of Person Mailing Paper)



July 6, 2006  
(Date)

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE****INTERNATIONAL FORM****RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.****To: (Name and Address of Depositor or Attorney)**

Scripps Institution of Oceanography  
Attn: Paul Jensen  
Mail Code 0402  
La Jolla, CA 92093

**Deposited on Behalf of:** The Regents of the University of California**Identification Reference by Depositor:**

New actinomycete genus and species, Proposed name "Salinspora": CNB476  
New actinomycete genus and species, Proposed name "Marinomyces": CNQ140

**Patent Deposit Designation**

PTA-5275  
PTA-5276

The deposits were accompanied by:        a scientific description, a proposed taxonomic description indicated above. The deposits were received June 20, 2003 by this International Depository Authority and have been accepted.

**AT YOUR REQUEST:** X We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

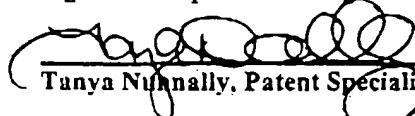
If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested August 14, 2003. On that date, the cultures were viable.

**International Depository Authority:** American Type Culture Collection, Manassas, VA 20110-2209 USA.

**Signature of person having authority to represent ATCC:**



Tanya Nunnally, Patent Specialist, ATCC Patent Depository

Date: June 15, 2006